

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 15-1114V

Filed: September 29, 2016

GLEND A NEHER,

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UNPUBLISHED

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Special Master Hamilton-Fieldman

Petitioner,

*

*

v.

*

Attorneys' Fees and Costs;

*

Reasonable Amount Requested

SECRETARY OF HEALTH

*

to which Respondent Does Not

AND HUMAN SERVICES,

*

Object.

*

Respondent.

*

John R. Howie, Jr., Howie Law, P.C., Dallas, TX, for Petitioner.

Robert P. Coleman III, United States Department of Justice, Washington, DC, for Respondent.

DECISION¹

On October 2, 2015, Glenda Neher ("Petitioner") petitioned for compensation under the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 to -34 (2012). Petitioner alleged that the administration of the Influenza ("Flu") vaccine, on January 11, 2013, caused her to develop Guillain-Barré Syndrome ("GBS"). On August 22, 2016, the undersigned issued a decision awarding compensation pursuant to a joint stipulation

¹ Because this decision contains a reasoned explanation for the undersigned's action in this case, the undersigned intends to post this ruling on the website of the United States Court of Federal Claims, in accordance with the purposes espoused in the E-Government Act of 2002. See 44 U.S.C. § 3501 (2012). Each party has 14 days within which to request redaction "of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b).

On August 30, 2016, Petitioner filed an unopposed² application for attorneys' fees and costs. Petitioner requests compensation for \$20,937.20 in attorneys' fees and costs (of which Petitioner bore none).

In accordance with the Vaccine Act, 42 U.S.C. § 300aa-15(e) (2012), the undersigned finds that Petitioner's request for fees and costs is reasonable. **Correspondingly, the undersigned hereby awards the amount of \$20,937.20, in the form of a check made payable jointly to Petitioner and Petitioner's counsel, Howie Law, P.C.** In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court shall enter judgment in accordance herewith.³

IT IS SO ORDERED.

/s/Lisa D. Hamilton-Fieldman
Lisa D. Hamilton-Fieldman
Special Master

² Although Petitioner's motion did not originally note whether Respondent objected to the motion, the undersigned later was assured by Respondent's counsel that they had no objection to the motion.

³ Entry of judgment can be expedited by each party's filing of a notice renouncing the right to seek review. Vaccine Rule 11(a).